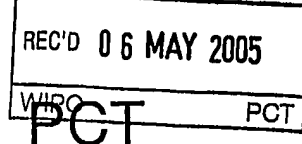


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/EP2005/050140

International filing date (day/month/year)  
14.01.2005

Priority date (day/month/year)  
23.01.2004

International Patent Classification (IPC) or both national classification and IPC  
C08K5/13, C08K3/00, C08K5/00, C08K7/16, C08K13/02, B01J2/00, B01J2/22, B01J2/24

Applicant  
CIBA SPECIALTY CHEMICALS HOLDING INC.

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/EP2005/050140

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/EP2005/050140

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

D1: EP-A-0 719 824  
D2: US-B-6 225 3751  
D3: EP-A-0 565 184  
D4: EP-A-0 514 784

**cf V**

1. Claim 1 discloses a method of producing low-dust granules of polymer additives or polymer additive mixtures, wherein
  - (1) the granule-forming polymer additives are mixed together,
  - (2) the mixture is converted into a workable mass and
  - (3) pressed through an orifice, and
  - (4) the pre-shaped strand-like extruded mass is cooled and,
  - (5) while still in a workable state, formed into granules by (a) rolling, (b) impressing, (c) cooling and (d) comminuting.
2. None of the documents discloses a process comprising steps (1) to (5d) as demonstrated in claim 1 on file.  
Art. 33(2) PCT.
3. The inventive process is not obvious since steps (1) to (5d) are not derivable from the prior art teaching.  
Art. 33(3) PCT.

**cf VIII**

1. The principle of the process according to the invention is characterized on page 2, line 13 to 20.

The characterizing technical features listed in this passage, " extrusion, extruder with only a small number of orifices, granule size is impressed into the resulting paste

mat, preliminary breaking up" are however not completely listed in claim 1.

In the Examples it is furthermore explained that after the impressing, the impressed strip of product hardens on the cooling belt and at the end of the belt breaks into coarse pieces. The impressed fragments are comminuted to form granules along the impressed lines in a sieve granulator.

The fines are then sieved off.

This essential feature is not present in the main claim.

2. The subject-matter of claim 1 comprises **all** additives.  
The process is however only demonstrated using **phenolic** additives.